



NEWS RELEASE

JUDICIAL COUNCIL OF CALIFORNIA ADMINISTRATIVE OFFICE OF THE COURTS

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SUMMARY OF CASES ACCEPTED DURING THE WEEK OF DECEMBER 20, 1999

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#99-196 People v. Brantley, S083184. (C029399.) Unpublished opinion. Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of a criminal offense. This case presents an issue, concerning the effect of a jury's failure to articulate a finding of degree as to a crime tried solely on theories making it first degree as a matter of law, which is related to an issue before the court in People v. Mendoza, S067104. (See #98-38.)

#99-197 People v. Cervantes, S083267. (G022732; 75 Cal.App.4th 28.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. This case includes an issue concerning whether vicarious liability for murder may be imposed under the provocative acts theory when a third party, who was not connected to the initial provocative act, was subsequently murdered in revenge for that act.

(over)

#99-198 People v. Demetillo, S083427. (B125919.) Unpublished opinion. Petition for review after the Court of Appeal reversed a judgment of conviction of a criminal offense. This case presents an issue concerning the mens rea of the crime of carrying a concealed dirk or dagger, which is related to the issues before the court in People v. Rubalcava, S081209. (See #99-167.)

#99-199 People v. Rowland, S083265. (B125169; 75 Cal.App.4th 83.) Petition for review after the Court of Appeal reversed a judgment of conviction of a criminal offense. This case presents an issue, concerning whether a juror was properly removed for refusing to deliberate and follow the law, which is related to an issue before the court in People v. Metters, S069442 (#98-70), and People v. Cleveland, S078537 (#99-94).

#99-200 People v. Simonton, S082972. (D031727.) Unpublished opinion. Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses. This case presents an issue, concerning whether the 1996 revision of CALJIC 9.00 correctly defines the mens rea of assault, which is related to an issue before the court in People v. Williams, S076262. (See #99-53.)

#99-201 West Coast General Corp. v. City of Carlsbad, S083838. (D028177.) Unpublished opinion. Petition for review after the Court of Appeal affirmed the judgment in a proceeding for administrative mandate. This case presents an issue, concerning whether a city's unilateral selection and compensation of a hearing officer in a dispute under Public Contrast Code section 4104 violates the contractor's right to due process, which is related to an issue before the court in Haas v. County of San Bernardino, S076868. See (#99-60.)

#99-202 People v. Williams, S083256. (D031198.) Unpublished opinion. Petition for review after the Court of Appeal reversed a judgment of conviction of criminal offenses. This case includes an issue, concerning utilization of a

constructive possession theory in a robbery prosecution, which is related to the issue before the court in People v. Nguyen, S075300. (See #99-29.)

STATUS

#99-104 In re Marriage of Bonds, S079760. The court limited review to issues of the enforceability of the parties' premarital agreement under Family Code section 1651(a)(1) and excluded from review issues arising under Family Code section 1651(a)(2) or concerning choice-of-law.

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